

**AGENDA:** May 25, 2004

**5.3**

**CATEGORY:** Public Hearing

**DEPT.:** Community Development/Public Works

**TITLE:** Public Meeting: Downtown Parking  
Maintenance and Operation Assessment  
District for Fiscal Year 2004-05

### **RECOMMENDATION**

1. Hold the public meeting on the Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2004-05; and
2. Adopt A RESOLUTION PRELIMINARILY APPROVING THE ANNUAL ENGINEER'S REPORT FOR THE DOWNTOWN PARKING MAINTENANCE AND OPERATION ASSESSMENT DISTRICT FOR FISCAL YEAR 2004-05, to be read in title only, further reading waived.

### **FISCAL IMPACT**

The actions above have no direct fiscal impact. If the Engineer's Report and the proposed assessment are approved after the public hearing on June 22, 2004, approximately 220 property owners will contribute \$158,606 toward the cost of maintaining the downtown parking facilities used by residents, businesses and customers in the District. The average property will be assessed approximately \$1,000. Many property owners pass the assessment costs on to their customers. The proposed assessment formula is the formula used since the 1996-97 fiscal year.

### **BACKGROUND AND ANALYSIS**

The purpose of this agenda item is to hold a public meeting and preliminarily approve the Engineer's Report (Attachment 3) pursuant to the Mountain View City Code. The public hearing and final action is scheduled for June 22, 2004. The public can speak at the public meeting or the public hearing or both.

On June 29, 1979, the City Council approved the formation of the Downtown Parking Maintenance and Operation Assessment District in order to adequately fund the continued maintenance and operation of Parking District No. 2. The assessment formula for the District is comprised of two components: one based on land use and the second based on parcel area. Seventy-five percent (75%) of the maintenance and operation assessment is calculated and allocated on the basis of land use. Twenty-five percent (25%) of the assessment is calculated according to the size of each parcel.

Staff is recommending that the total amount of the assessment for 2004-05 be \$158,606, the same as the previous eight years. All of the Maintenance Assessment District revenues (\$158,606) are used for operating expenses, which are budgeted at \$253,794 for 2004-05. The balance of operating expenses is funded from the District's other revenues such as permit fees, taxes and interest. Revenues not used for operating expenses are set aside for future improvements and maintenance. The Parking District receives no General Fund revenues.

The Assessment District must conform with the provisions of Proposition 218, the Right to Vote on Taxes Initiative, which was approved by California voters in November 1996. However, the City Attorney's Office has concluded that the Proposition 218 requirement for a ballot only applies if the assessment formula is changed and/or the amount of the assessment to the District is increased. Consequently, no ballot is required if the City Council directs staff to proceed with the recommended assessment using the same formula and assessment amount as in the previous eight years.

Staff proposes no changes to the assessment formula and, thus, no changes from previous annual assessments. There is no increase in the number of parcels assessed from the 220 last year. The assessment formula allows for a total of \$158,606 to be spread out amongst all the District parcels based on the land use parking demand and parcel area ratio; therefore, assessments will remain the same.

Property owners are encouraged to call the Community Development Department at (650) 903-6306 prior to the June 22, 2004 public hearing if they have any questions regarding individual assessments.

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## **PUBLIC NOTICING**

In addition to the agenda posting, a notice of the public meeting was published in the newspaper of general circulation. Direct notices to property owners in the District informing them of the public meeting and the public hearing and the proposed amount of their individual assessments have been sent.

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JVB/9/CAM  
890-05-25-04M^

Attachment:   1.   Public Meeting/Hearing Notice  
                  2.   Resolution Preliminarily Approving the Annual Engineer's Report  
                  3.   Draft Annual Engineer's Report

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2004

A RESOLUTION PRELIMINARILY APPROVING THE ANNUAL  
ENGINEER'S REPORT FOR THE DOWNTOWN PARKING MAINTENANCE  
AND OPERATION ASSESSMENT DISTRICT FOR FISCAL YEAR 2004-05

WHEREAS, City staff has prepared an Engineer's Report with proposed assessments on downtown properties in order to fund the operation of the Downtown Parking District for the 2004-05 fiscal year with the concurrence of the Downtown Parking Committee; and

WHEREAS, said Engineer's Report has been provided to the City Council and made available to affected property owners and the general public; and

WHEREAS, on May 25, 2004, the City Council of the City of Mountain View held a public meeting on the Downtown Parking Maintenance and Assessment District for Fiscal Year 2004-05;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mountain View does hereby preliminarily approve the Engineer's Report attached to the May 25 staff report.

BE IT FURTHER RESOLVED that at the public hearing on June 22, 2004, the City Council of the City of Mountain View will consider the final adoption of the annual Engineer's Report for the Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2004-05.

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